

DEPARTMENT OF JUVENILE JUSTICE
RESIDENTIAL AND CORRECTIONAL FACILITIES
SOUTH REGION

MANAGEMENT REVIEW FORM

TO: Jerry Blanton
RCF- South Region

FROM: Jasir Diab
YSI - Thompson Academy

DATE: 4/02/04

OIG CASE #: 2004-01774

DATE OF INCIDENT: 3/23/04

DATE INCIDENT REPORTED: 3/24/04

SUBJECT: Management Review on:
(Abuse Call)

SYNOPSIS OF INCIDENT/COMPLAINT/ALLEGATION:

On 3/24/04, at approximately, 3:45 pm Investigator Halaby and Deputy Thompson from Broward County Sheriff's Office arrived at Thompson Academy in response to a call made to the Abuse-Hotline by AnnJeanette Jean-Baptiste, BHOS Counselor.

Committed youth [REDACTED] informed her that, on 3/23/04, at approximately 7:40 am while his group was moving to physical training into the courtyard, between Lakes Housing unit and Jackson Housing unit, Youth Counselor Dexter Gunder was involved in an argument with committed youth [REDACTED] in which Youth Counselor Gunder slapped youth [REDACTED] in the face with two fingers at least twice. Youth [REDACTED] stated he told Youth Counselor Gunder that he was "acting like a kid trying to fight a 16 year old boy". Youth [REDACTED] stated Youth Counselor Gunder responded by looking at him and grabbing his crouch and saying "suck my dick". Youth [REDACTED] said he responded by telling Youth Counselor Gunder to "suck his dick". Youth [REDACTED] said Youth counselor Gunder then ran up to him and head butted him in the face twice then slammed him to the ground on his head. Youth [REDACTED] also claims Youth counselor Gunder stood over him calling him a "punk ass nigger".

FINDINGS:

- Youth Counselor Gunder and Youth [REDACTED] were involved in a incident in which racial slurs were made and inappropriate gestures
- The incident escalated and Youth Counselor Gunder and Youth [REDACTED] heads collided during this incident and the youth was taken down to the ground
- Youth [REDACTED] was examined by medical and there was no swelling or laceration
- Broward County Sheriff's Deputy and CPI are currently investigating the incident
- Youth Counselor Gunder actions were unprofessional and inappropriate
- Youth Counselor Gunder failed to complete incident report and PAR report
- Shift Supervisor Butts failed to conduct a investigation and complete the appropriate paper work at the time of the incident

CONCLUSION:

The OIG was notified of the incident on 3/25/04 at approximately 3:45 PM. Youth Counselor Gunder was removed from direct contact with youth. The DCF Case number assigned to this incident is 04-336277. The Abuse Neglect Data form was completed on 3/25/04. Youth [REDACTED] was seen by the facility nurse at 7:35 PM. The nurse noted in Youth [REDACTED] Medical file that he had no swelling or open wounds, and that the youth stated he was not in pain at the time of the exam. Youth Counselor Gunder received PAR training prior to the incident. Witness statements were taken from staff and youth. The facility conducted an investigation of the incident. The investigation revealed Youth Counselor Gunder behavior at the time of the incident was inappropriate. Proper intervention techniques were not used prior to use of force. A PAR report was not completed by Youth Counselor Gunder. Abusive language was used by both Youth Counselor Gunder and Youth [REDACTED]. Youth Counselor Gunder failed to follow Facility Operating Procedures as they relate to interacting with youth and using physical force.

CORRECTIVE ACTION TAKEN:

Youth Counselor Gunder was placed on Administrative leave without pay pending the outcome of the investigation (management review) conducted. Youth Counselor Gunder was terminated due to violation of Facility Operating Procedures and Employee code of Conduct E 104 Employees shall protect youth from physical abuse or unnecessary use of

force. Shift Supervisor Butts was terminated for failing to conduct an investigation and make proper notification of incident to his immediate supervisor.

<u>Allegation / Classification</u>	<u>Finding</u>	<u>Action</u>
Call to Abuse Registry ("B" List)	Pending completion of investigation by CPI	Pending
Youth [REDACTED] head butted and slammed to ground by Youth Counselor Gender	Behavior unprofessional/Violation of POPs Incident not properly reported or documented	YC Gender Admin Leave Facility Investigation
Youth [REDACTED] slapped in the face with two fingers		Shift Supervisor Butts Terminated Youth Counselor Gender Terminated

**DEPARTMENT OF JUVENILE JUSTICE
OFFICE OF THE INSPECTOR GENERAL
BUREAU OF INVESTIGATIONS
Incident/Complaint Report Form
Electronic Version for "B" List Reports**

YSI - Thompson Academy

Broward

Facility/Program/Office Name

County

O.I.G. Case Number

17

South

Circuit #

Region

Branch

Reporting Person/Title:	Mark Hite / Assistant Facility Administrator	Local Telephone #	SunCom #
Contact Person/Title	Jasir Dlab / Facility Administrator	(954) 967-6300	N/A
Date Email Sent	3/25/04	Time Email Sent	3:45 hrs
Date of Incident	8/23/04	Time of Incident	Approx. 7:40 am

Specific Place/Location of Occurrence: Courtyard Hendry Unit

*For all juveniles, reporting persons must include either a JJIS # or SSN. SSN is also needed for staff (subjects only) on the following types of incidents: employee arrests and abuse allegations (physical and sexual)

Name of Complainant(s)

Position/Title

Level

SSN/JJIS#

Race/Sex

D.O.B.

Name of Victim(s)	Position/Title	Level	SSN/JJIS#	Race/Sex	D.O.B.
[REDACTED]	Client/ Committed	6	[REDACTED]	W/M	[REDACTED]
Name of Subject(s)	Position/Title	Level	SSN/JJIS#	Race/Sex	D.O.B.
Dexter Gunder II	Youth Counselor		[REDACTED]	B/M	6/25/70
Name of Witness(es)	Position/Title	Level	SSN/JJIS#	Race/Sex	D.O.B.
Fred Gamble	Youth Counselor			B/M	
[REDACTED]	Committed Youth	6	[REDACTED]	W/M	[REDACTED]
[REDACTED]	Committed Youth	6	[REDACTED]	B/M	[REDACTED]

Detailed Background Narrative of Incident/Complaint:

On 3/24/04, at approximately, 3:45 pm Investigator Halaby and Deputy Thompson from Broward County Sheriff's Office arrived at Thompson Academy in response to a call made to the Abuse-Hotline by Annjeannette Jean-Baptiste, BHOS Counselor. Committed youth [REDACTED] informed her that, on 3/23/04, at approximately 7:40 am while his group was moving to physical training into the courtyard, between Lakes Housing unit and Jackson Housing unit, Youth Counselor Dexter Gunder was involved in an argument with committed youth [REDACTED] in which Youth Counselor Gunder slapped youth [REDACTED] in the face with two fingers at least twice. Youth [REDACTED] stated he told Youth Counselor Gunder that he was "acting like a kid trying to fight a 16 year old boy". Youth [REDACTED] stated Youth Counselor Gunder responded by looking at him and grabbing his crouch and saying "suck my dick". Youth [REDACTED] said he responded by telling Youth Counselor Gunder to "suck his dick". Youth [REDACTED] said Youth counselor Gunder then ran up to him and head butted him in the face twice then slammed him to the ground on his head. Youth [REDACTED] also claims Youth counselor Gunder stood over him calling him a "punk ass nigger".

Immediate Action Taken/Current Status of Situation:

Youth [REDACTED] was seen by a facility nurse K. Russell, LPN. A facility investigation was launched by Mark Hite, Assistant Facility Administrator. Youth Counselor Dexter Gunder was placed on Administrative leave pending the outcome of the investigation. Child Protective Investigations and Broward Sheriff's Office are both conducting an investigation into the incident.

Individuals/Agencies Notified:

Name	Contact Person	Date	Time
Law Enforcement (LE)	T. Thompson	3/24/04	
If LE contacted:	Case number: BS04-03-11319		
DJJ Regional Director			
DJJ Security Chief			
DJJ Contract Monitor	Jerry Blanton	3/24/04	3:00 pm
Abuse Registry (abuse operator name and operator #)			
State Attorney			
Judge			
Circuit Manager			
JPO			
Other	Eric Gallon (YSI Corp.)	3/25/04	
Child Protective Investigations	Halaby		
	Case# 04-336277		

For Escapes

(A) Committing Offense(s):

(B) Home City and County: _____

(C) Law Enforcement Home City and County Notified? Yes No

(D) Staff/Juvenile Ratio:

For Arrests of Employees

(A) Did Arrest Occur During Official Work Time? Yes No

(B) Did Arrest Occur While Employee in State/Provider Vehicle? Yes No

(C) Was Employee In State/Provider Uniform? Yes No

(D) Was the State/Provider ID Misrepresented? Yes No

(E) How Long Has Person Been Employed? _____

(F) What Is Employee's Disciplinary History?